

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAITLIN DULANY, LARISSA GOMES, and
MELISSA THOMPSON, individually and on
behalf of all others similarly situated,

Plaintiffs,

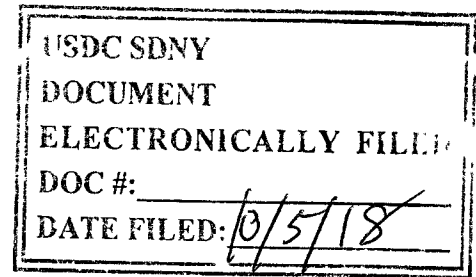
v.

MIRAMAX FILM NY, LLC, THE WALT
DISNEY COMPANY, DISNEY
ENTERPRISES, INC., HARVEY
WEINSTEIN, ROBERT WEINSTEIN, DIRK
ZIFF, TIM SARNOFF, MARC LASRY,
TARAK BEN AMMAR, LANCE MAEROV,
RICHARD KOENIGSBERG, PAUL TUDOR
JONES, JEFF SACKMAN, JAMES L.
DOLAN, MIRAMAX DOES 1-10, and JOHN
DOES 1-50, inclusive,

Defendants.

No. 1:18-cv-04857

JURY TRIAL DEMANDED



STIPULATION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE

WHEREAS, on December 6, 2017, Plaintiffs Louissette Geiss, Katherine Kendall, Zoe Brock, Sarah Ann Thomas (a/k/a Sarah Ann Masse), Melissa Sagemiller, and Nannette Klatt filed the class action lawsuit known as *Geiss v. The Weinstein Company Holdings LLC, et al.*, No. 1:17-cv-09554 (AKH) (S.D.N.Y.), arising out of alleged sexual abuse and harassment by Harvey Weinstein;

WHEREAS, on June 1, 2018, Plaintiffs Caitlin Dulany, Larissa Gomes, and Melissa Thompson filed the class action lawsuit known as *Dulany v. Miramax Film NY, LLC et al.*, No. 1:18-cv-04857 (AKH) (S.D.N.Y.), also arising out of alleged sexual abuse and harassment by Harvey Weinstein;

WHEREAS, both the *Geiss* and *Dulany* actions are assigned to the Hon. Alvin K. Hellerstein;

WHEREAS, at the September 12, 2018 hearing on the Defendants' motions to dismiss in *Geiss*, the Court granted the Defendants' motions to dismiss, with leave to amend the complaint by October 31, 2018;

WHEREAS, in *Geiss*, the Court also set a date for Defendants to file responsive pleadings to the amended complaint of November 30, 2018, with Plaintiffs' opposition(s) due December 24, 2018, and Defendants' replies due January 7, 2019;

WHEREAS, at the September 12, 2018 hearing in *Geiss*, the parties and the Court discussed the pendency of the *Dulany* action, Plaintiffs' counsel represented to the Court that the *Dulany* plaintiffs would be added to the *Geiss* amended complaint, and the Court agreed (Transcript of Proceedings held on September 12, 2018, at 55:10-56:2);

WHEREAS, in the interests of preserving the parties' resources and judicial economy, the *Dulany* parties have agreed that the *Dulany* Plaintiffs will voluntarily dismiss this action without prejudice;

WHEREAS, without waiving any other defenses that they may have and without prejudice to their position that Plaintiffs Caitlin Dulany, Larissa Gomes, and Melissa Thompson cannot state a claim against the *Dulany* Defendants, the *Dulany* Defendants have agreed that they will not object to the addition of Plaintiffs Caitlin Dulany, Larissa Gomes, and Melissa Thompson to the *Geiss* amended complaint;

WHEREAS, Plaintiffs' counsel has advised that they intend to add The Walt Disney Company and Disney Enterprises, Inc. to the *Geiss* amended complaint;

WHEREAS, in *Dulany*, Defendants have not filed an answer or a motion for summary judgment;

NOW THEREFORE, Pursuant to Rule 41(a)(1)(A)(i), and the parties' stipulation herein, Plaintiffs Caitlin Dulany, Larissa Gomes, and Melissa Thompson voluntarily dismiss this action without prejudice.

DATED: October 3, 2018

For Plaintiffs:

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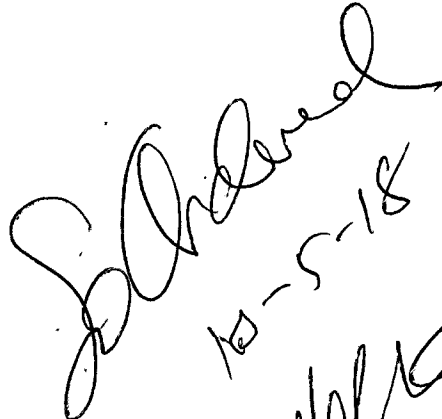
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